

DISTRICT COURT OF GUAM
TERRITORY OF GUAM

Guam Contractors Association, <i>et al.</i> ,)	CIVIL CASE NO. 16-00075
Plaintiffs-Petitioners,)	
)	O R D E R
vs.)	
Jeff Sessions, Attorney General of the)	
United States, <i>et. al.</i> ,)	
Defendants-Respondents.)	
_____)	

Before the court is a motion by Plaintiffs to hold summary judgment in the instant matter (16-CV-00075) in abeyance, pending the Court's ruling on the Plaintiffs' Motion for an Order to Hold Defendants in Contempt of Court for Failing to Comply with the Court's January 24, 2018 Injunction (hereinafter, "Plaintiffs' Motion for Contempt") and the Plaintiffs' Motion to Compel Additional Discovery Pursuant to 5 U.S.C. § 706, Fed. R. Civ. P. 26-37, and CVLR 26, 33, 36 (hereinafter, "Plaintiffs' Motion to Compel Additional Discovery").

In response to the said motion, Defendants assert that the motion "is an unnecessary and inefficient use of this Court's resources. A more efficient use of judicial resources would have been a joint status report followed by a telephonic status conference to discuss how the parties intend to proceed."

Plaintiffs argue that pursuant to Fed. R. Civ. P. 56, there exists a presumptive deadline for summary judgment thirty (30) days following the close of all discovery. Plaintiffs further argue that to the extent "Defendants are correct that the record is complete, then the

1 clock is now ticking on Motions for Summary Judgment.”

2 In its February 7, 2017 Amended Scheduling and Planning Order, the court set a
3 deadline of May 1, 2017 for the filing of dispositive motions. A summary judgment motion is
4 a dispositive motion.

5 In a status conference hearing on July 14, 2017, the court granted a motion for the
6 extension of time to file dispositive motions with the court to set the deadline upon resolution
7 of the pending discovery motion. To date, the court has set no deadline for the filing of
8 dispositive motions.

9 With respect to Plaintiffs’ motion, the court finds that there are still pending matters
10 before it which make it inappropriate to require a deadline for the filing of a summary
11 judgment motion.

12 The court also finds the Defendants’ recommendation for a status hearing or joint status
13 report followed by a status conference to discuss how the parties intend to proceed to be
14 appropriate.

15 Because the court has yet to set a deadline for the filing of dispositive motions,
16 Plaintiffs’ motion to hold in abeyance a summary judgment motion filing is also appropriate.

17 Plaintiffs’ motion to hold in abeyance the filing of a summary judgment motion
18 pending disposition of current matters before the court is granted.



/s/ Joaquin V.E. Manibusan, Jr.
U.S. Magistrate Judge
Dated: Jul 19, 2019